

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LAMONT FULTON,	)	
	)	13cv00398
Petitioner,	)	<b>ELECTRONICALLY FILED</b>
	)	
v.	)	
	)	
THE ATTORNEY GENERAL OF THE	)	
STATE OF PENNSYLVANIA and	)	
LARRY MAHALLY, Superintendent of	)	
SCI Dallas,	)	
	)	
Respondents.	)	

**MEMORANDUM ORDER**

Pending before the Court is the Petition for Writ of Habeas Corpus filed by Petitioner, Lamont Fulton (doc. no. 5). The matter was referred to United States Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and the Local Rules of Court for Magistrate Judges.

The magistrate judge filed a Report and Recommendation on December 8, 2015 (doc. no. 24) recommending that the Petition for Writ of Habeas Corpus be denied and that no certificate of appealability be issued. Petitioner was served with the Report and Recommendation at his listed address and was advised that he had until December 28, 2015, to file written objections to the Report and Recommendation. To date, no objections have been filed nor has Petitioner sought an extension of time in which to do so.

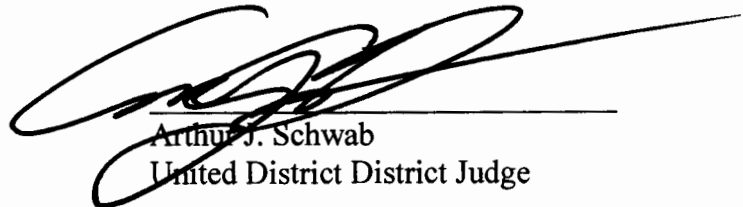
After *de novo* review of the petition and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 4<sup>th</sup> day of January, 2016.

**IT IS ORDERED** that the instant petition for writ of habeas corpus is **DENIED**.

**IT IS FURTHER ORDERED** that no certificate of appealability shall issue.

The Report and Recommendation filed December 8, 2015 (doc. no. 24) is adopted as the opinion of the Court.



Arthur J. Schwab  
United District District Judge

cc: LAMONT FULTON  
GD-0287  
SCI Dallas  
1000 Follies Road  
Dallas, PA 18612  
(via U.S. First Class Mail)

Leanne K. Shipley  
Rusheen R. Pettit  
Kelly D. Tomasic  
Office of the District Attorney of Allegheny County  
(via ECF electronic notification)